LLM N101: LAW AND SOCIAL TRANSFORMATION IN INDIA

1. Law and Social Change

1.1. Law as an instrument of social change.

1.2. Law as the product of traditions and culture; impact of colonization and common law systems on Indian legal institutions.

2. Religion and the Law

2.1. Religion as a divisive factor.

2.2. Secularism as a solution

2.3. Reform of law on secular lines.

2.4. Freedom of religion and non-discrimination.

2.5. Religious minorities and the law.

3. Language and the Law

3.1. Language as a divisive factor and the formation of linguistic states.

3.2. Constitutional guarantees to linguistic minorities.

3.3. Official language policy and the multi-language system.

3.4. Non-discrimination on the ground of language.

4. Community and the Law

4.1. Caste as a divisive factor.

4.2. Non-discrimination on the ground of caste.

4.3. Acceptance of caste to undo past injustices.

4.4. Protective discrimination: SC, ST, and backward classes.

4.5. Reservations and Statutory Commissions.

5. Regionalism and the Law

5.1. Regionalism as a divisive factor.

5.2. Concept of India as one unit.

5.3. Rights of movement, residence, and business; impermissibility of regional barriers.

5.4. "Sons of the soil" slogan and equality in employment.

5.5. Preference to state residents in educational admissions.

6. Women and the Law

6.1. Crimes against women.

6.2. Various forms of gender injustice.

6.3. Women's Commission.

6.4. Empowerment: Constitutional and legal provisions.

7. Children and the Law

7.1. Child labour.

7.2. Sexual exploitation.

7.3. Adoption and related problems.

7.4. Children and education.

8. Modernisation and the Law

8.1. Modernisation in Fundamental Duties.

8.2. Reform of social institutions (Family law, Agrarian reform, Industrialisation).

8.3. Reform of court processes (Plea bargaining, ADR, Lok Adalats, Prison reforms).

8.4. Democratic decentralisation and local self-government.

9. Alternative Approaches to Law

9.1. Jurisprudence of Sarvodaya (Gandhi, Bhave, Narayan) and Gram Nyayalayas.

9.2. Socialist thought and constitutional debates on right to property.

9.3. Indian Marxist critique of law and justice.

9.4. Naxalite movement: causes and cure.

LLM N102: INDIAN CONSTITUTIONAL LAW: NEW CHALLENGES

I. Federalism: Emerging Trends and Stresses

- Federalism as a Basic Feature: Analysis of *S.R. Bommai v. Union of India*.
- Creation of New States: Constitutional process and the demand for smaller states.
- Allocation of Resources: Distribution of grants-in-aid and the role of the Finance Commission.
- Inter-State Disputes: Conflicts over natural resources (water, minerals) and the mechanism for resolution.
- Article 356 & 365: Directions of the Centre to the State and the impact of the "President's Rule" on federal autonomy.
- Special Status: Special provisions for certain states (Articles 370, 371A-J) and the administration of Scheduled/Tribal Areas.

II. The "State" in the Era of Liberalization (Article 12)

- Expanding the Definition: The shift from the "Government Agency" test to the "Public Function" test.
- Privatization and Globalization: Impact of the entry of MNCs and private entities on Fundamental Rights.
- Judicial Interpretations: Analysis of *Sukhdev Singh*, *R.D. Shetty*, and *Ajay Hasia*.
- The Problem of Accountability: Whether private bodies performing public duties (like private universities or healthcare) should be under the writ jurisdiction of Article 226/32.

III. Right to Equality and Social Justice

- New Facets of Article 14: Arbitrariness as the antithesis of equality (*E.P. Royappa*).
- Affirmative Action in the Private Sector: The debate on reservations in private employment and the impact of privatization on social justice.
- Protective Discrimination: Evaluating the 103rd Amendment (EWS Reservation) and the *Janhit Abhiyan* judgment.
- Gender Justice: Rights of the LGBTQ+ community (*Navtej Singh Johar*) and women's entry into religious spaces (*Sabarimala*).

IV. Freedom of Expression and New Scientific Developments

- Freedom of Press and Media: Right to broadcast and telecast; the impact of social media and digital platforms.
- Access to Information: The Constitutional foundation of the Right to Information (RTI).
- Restraints on Speech: Judicial scrutiny of "Hate Speech" vs. Free Speech.

- New Dimensions: Right to strike, *Hartal*, and *Bandh* – the distinction between legal and illegal protests.

V. Emerging Regime of New Rights and Remedies

- Integration of DPSP into Part III: The "Unenumerated Rights" doctrine – reading Directive Principles (Art. 39, 41) and Fundamental Duties (Art. 51A) into Article 21.
- Right to Life and Liberty: Evolution from *A.K. Gopalan* to *Maneka Gandhi* and finally *Puttaswamy* (Right to Privacy).
- Compensation Jurisprudence: The development of the "Constitutional Tort" and the State's liability to pay compensation for the violation of Fundamental Rights (*Nilabati Behera*).
- Education: Right to Education (Art. 21A) and the challenge of Commercialization of Education.

VI. Secularism and Religious Freedom

- Secularism as a Basic Structure: The Indian vs. Western concept of Secularism.
- Religious Fanaticism vs. Constitutional Morality: Balancing personal laws with the Uniform Civil Code (Art. 44).
- Minority Rights (Art. 29 & 30): Right to establish and administer educational institutions and the extent of State regulation (*T.M.A. Pai* and *P.A. Inamdar*).

VII. Separation of Powers: Checks & Balances

- Judicial Activism vs. Judicial Restraint: The role of the court as a policy-maker.
- Public Interest Litigation (PIL): Its evolution, misuse, and the concept of *Locus Standi*.
- Compensatory jurisprudence
- Independence of Judiciary: Appointment of judges, the Collegium System vs. NJAC, and the issue of accountability within the judiciary.
- Tribunalization of Justice: The constitutional validity of tribunals and the exclusion of High Court jurisdiction (*L. Chandra Kumar*).

VIII. The Democratic Process

- The Election Commission: Powers, functions, and the need for electoral reforms.
- Political Criminalization: The nexus between politics and crime; disqualification of legislators (*Lily Thomas v. Union of India*).
- One nation one election, other electoral reforms
- Anti-Defection Law: The 10th Schedule and the role of the Speaker in a fractured mandate.

Other important topics: **1.** Empowerment of women **2.** Brain-Drain Theory 3. Position of President in India 4. Collective Responsibility 5. Pardoning Power of President & Governor

LLM N103: NATIONAL SECURITY, PUBLIC ORDER, & RULE OF LAW

1. Concepts of Security and Law

1.1. Emergency detention in England; Civil liberties; Subjective vs. Objective assessment.

1.2. Pre-Independence law.

2. Preventive Detention and Indian Constitution

2.1. Article 22 of the Constitution.

2.2. Preventive detention and safeguards.

2.3. Declaration of Emergencies.

2.4. 1962, 1965, and 1970 Emergencies.

2.5. 1975 Emergency.

3. Exceptional Legislation

3.1. COFEPOSA and economic offender legislation.

3.2. TADA and NHRC comments.

3.3. Special courts and tribunals.

3.4. Due process and special legislation.

4. Civil Liberties and Emergency

4.1. Article 19

4.2. Meaning of "Security of State".

4.3. Meaning of "Public Order".

4.4. Suspension of Article 19 rights.

4.5. President's right to suspend access to courts.

4.6. Non-suspendability of Article 21.

4.7. Impact of the 44th Amendment.

5. Access to Courts

5.1. Article 359: Judicial review trends.

5.2. Constitution (44th Amendment) Act, 1978.

5.3. Constitution (59th Amendment) Act, 1988.

6. Martial Law

6.1. Provisions in English Law.

6.2. Provisions in the Indian Constitution.

LLM N104: CONSTITUTIONALISM, FEDERALISM & PLURALISM

Unit 1: Constitutionalism

1.1 Types of Governments.

1.2 Concept of a Limited Government

1.3 Separation of Powers & Functions.

1.4 Basic Structure Theory.

1.5 Marxist concept of Constitutionalism.

Unit 2: Federalism

2.1 Concept and components of Federations

2.2 Patterns of Federal Governments.

2.3 Competitive & Cooperative Federalism.

2.4 Judicial Review for Federal Umpiring.

Unit 3: Pluralism

3.1 Elements of Pluralistic Society.

3.2 Rights & Duties; Marginalization & Minorities.

3.3 Debate on Uniform Civil Code.

3.4 Compensatory Discrimination.

Unit 4: Contemporary Issues

4.1 Equality & Reasonable Classification.

4.2 Secularism.

4.3 Right of Self-determination.

4.4 Tribal Groups & Equality.

4.5 Order in a Pluralistic Society.

LLM N105: PUBLIC UTILITIES LAW

1. Introduction to Public Utilities

1.1. Railways, Electricity, Gas, Road Transport, Telephone, Post, Banking, etc.

1.2. Growth and evolution of utilities and legislation.

2. Government Monopoly and Control

2.1. Government and Parliamentary Control.

2.2. Constitutional division of legislative power.

3. Patterns of Legislation

3.1. Structure of Administrative Authorities.

3.2. Subordinate legislation.

4. Fair Hearing and Discretion

4.1. Quasi-judicial decisions and administrative discretion.

5. Consumer Protection

5.1. Exclusion from M.R.T.P. Act.

5.2. Rights under Consumer Protection Act.

5.3. Rights under Law of Contract and Torts.

6. Public Utilities and Employees

6.1. Application of Articles 16 and 311.

6.2. Application of Industrial law and the right to strike.

7. Fundamental Rights

7.1. Right to equality (The Airhostess case).

7.2. Public utilities as "State" under Article 12.

8. Liabilities and Privileges

8.1. Liability in Contract.

8.2. Liability in Tort.

8.3. Liability in Criminal Law.

LLMN-201: JUDICIAL PROCESS

UNIT 1: NATURE OF JUDICIAL PROCESS

1.1. Nature of judicial process

1.2. Judicial process and creativity in law – common law model – Legal Reasoning and growth of law – change and stability.

1.3. The tools and techniques of judicial creativity and precedent.

1.4. Legal development and creativity through legal reasoning under statutory and codified systems.

UNIT 2: SPECIAL DIMENSIONS OF JUDICIAL PROCESS IN CONSTITUTIONAL ADJUDICATIONS.

2.1. Notions of judicial review

2.2. Role in constitutional adjudication – various theories of judicial role.

2.3. Tools and techniques in policy-making and creativity in constitutional adjudication.

2.4. Varieties of judicial and juristic activism

2.5. Problems of accountability and judicial law-making.

UNIT 3: JUDICIAL PROCESS IN INDIA

3.1. Indian debate on the role of judges and on the notion of judicial review.

3.2. The "independence" of judiciary and the "political" nature of judicial process

3.3. Judicial activism and creativity of the Supreme Court – the tools and techniques of creativity.

3.4. Judicial process in pursuit of constitutional goals and values – new dimensions of judicial activism and structural challenges

3.5. Institutional liability of courts and judicial activism – scope and limits.

UNIT 4: THE CONCEPTS OF JUSTICE

4.1. The concept of justice or Dharma in Indian thought

4.2. Dharma as the foundation of legal ordering in Indian thought.

4.3. The concept and various theories of justice in the western thought.

4.4. Various theoretical bases of justice: the liberal contractual tradition, the liberal utilitarian tradition and the liberal moral tradition.

UNIT 5: RELATION BETWEEN LAW AND JUSTICE

5.1. *Equivalence Theories* – Justice as nothing more than the positive law of the stronger class

5.2. *Dependency theories* – For its realisation justice depends on law, but justice is not the same as law.

5.3. *The independence of justice theories* – means to end relationship of law and justice-The relationship in the context of the Indian constitutional ordering.

5.4. Analysis of selected cases of the Supreme Court where the judicial process can be seen as influenced by theories of justice.

LLMN-202: LEGAL EDUCATION & RESEARCH METHODOLOGY

UNIT 1: PRINCIPLES OF RESEARCH

a) Purpose of Research

b) Types of Research

c) Approaches to Research

d) Legal Reasonings

e) Observation & Scientific Research (+AI Assistance)

UNIT 2: THE RESEARCH DESIGN

a) Literature Review

b) Research Problems in Law

c) Sources of Legal Research

d) Hypothesis

e) Other components of Research Design (+AI Assistance)

UNIT 3: DATA COLLECTION & DATA ANALYSIS

a) Methods of Data Collection

b) Quantitative Data Collection

c) Coding & De-coding of Data

d) Interpretation of Data

e) Prominent Analysis Tools (JAMOVI) (+AI Assistance)

UNIT 4: RESEARCH AND LEGAL EDUCATION

a) Models of Legal Research

b) Instrumentalities of Legal Research

c) Role of Research in Legal Education

d) Problems in Legal Research

e) Current Trends in Legal Research (+AI Assistance)

LLMN-203: MASS MEDIA LAW

UNIT 1: MASS MEDIA - TYPES OF

1.1. Ownership patterns - Press - Private - Public

1.2. Ownership patterns - Films - Private

1.3. Ownership patterns - Radio & Television, Public

1.4. Difference between visual and non-Visual Media - impact on Peoples minds.

UNIT 2: PRESS - FREEDOM OF SPEECH AND EXPRESSION - ARTICLE 19 (1) (A)

2.1. Includes Freedom of the Press.

2.2. Laws of defamation, obscenity, blasphemy and sedition.

2.3. The relating to employees wages and service conditions.

2.4. Price and Page Schedule Regulation.

2.5. Newsprint Control Order.

2.6. Advertisement - is it included within freedom of speech and expression?

2.7. Press and the Monopolies and Restrictive Trade Practices Act.

UNIT 3: FILMS - HOW FAR INCLUDED IN FREEDOM IN OF SPEECH AND EXPRESSION?

3.1. Censorship of films - constitutionality.

3.2. The Abbas Case.

3.3. Difference between films and Press - why pre-censorship valid for films but not for the press?

3.4. Censorship under the Cinematograph Act.

UNIT 4: RADIO AND TELEVISION - GOVERNMENT MONOPOLY.

4.1. Why Government department?

4.2. Should there be an autonomous corporation?

4.3. Effect of television on people.

4.4. Report of the Chanda Committee.

4.5. Government policy:

- 4.5.1. Commercial advertisement.
- 4.5.2. Internal Scrutiny of serials, etc.

4.6. Judicial Review of Doordarshan decisions: Freedom to telecast.

UNIT 5: CONSTITUTIONAL RESTRICTIONS

5.1. Radio and television subject to law of defamation and obscenity.

5.2. Power to legislate - Article 246 read with the Seventh Schedule.

5.4. Power to impose tax - licensing and licence fee.

LLMN-204: UNION-STATE FINANCIAL RELATIONS

UNIT 1: FEDERALISM - ESSENTIALS

1.1. Models of Federal Government - U.S.A., Australia, Canada
1.2. Difference Between Federation and confederation
1.3. Evolution of federal government in India

UNIT 2: DISTRIBUTION OF LEGISLATIVE POWER/ADMINISTRATIVE POWER

2.1. Indian Constitution
2.2. Centre-State relations
2.3. Factors responsible for subordination of States
2.4. Administrative relations

UNIT 3: DISTRIBUTION OF FISCAL POWER

3.1. Scheme of Allocation of taxing power
3.2. Extent of Union power of taxation
3.3. Residuary power - inclusion of fiscal power

UNIT 4: RESTRICTIONS OF FISCAL POWER

4.1. Fundamental Rights
4.2. Inter-Government tax immunities
4.3. Difference between tax and fee

UNIT 5: DISTRIBUTION OF TAX REVENUES

5.1. Tax-Sharing under the Constitution
5.2. Finance Commission - Specific purpose grants (Article 282)

UNIT 6: BORROWING POWER OF THE STATE

6.1. Borrowing by the Government of India
6.2. Borrowing by the States

UNIT 7: INTER-STATE TRADE AND COMMERCE

7.1. Freedom of Inter-State trade and commerce
7.2. Restrictions on legislative power of the Union and States with regard to trade and commerce

UNIT 8: PLANNING AND FINANCIAL RELATIONS

8.1. Planning Commission
8.2. National Development Council
8.3. Plan grants

UNIT 9: CO-OPERATIVE FEDERALISM

9.1. Full faith and credit
9.2. Inter-State Council
9.3. Zonal Councils
9.4. Inter-State disputes

UNIT 10: FEDERAL GOVERNMENT IN INDIA

10.1. Model of Jammu and Kashmir
10.2. Sarkaria Commission Report
10.3. What Reforms are Necessary?

LLM N205: HUMAN RIGHTS

UNIT 1: PANORAMIC VIEW OF HUMAN RIGHTS

1.1. Human Rights in Non-western Thought

1.2. Awareness of Human rights during the nationalist movement

1.3. Universal Declaration of Human Rights, Constituent Assembly and Part III, drafting process.

1.4. Subsequent developments in International Law and the Position in India.

UNIT 2: FUNDAMENTAL RIGHTS JURISPRUDENCE AS INCORPORATING DIRECTIVES

2.1. The dichotomy of Fundamental Rights (F.R.) and Directive Principles (D.P.)

2.2. The interaction between F.R. and D.P.

2.3. Resultant expansion of basic needs oriented human rights in India

UNIT 3: RIGHT NOT BE SUBJECT TO TORTURE, INHUMAN OR CRUEL TREATMENT

3.1. Conceptions of torture, third-degree methods

3.2. "Justifications" for it

3.3. Outlawry of torture at international and constitutional law level

3.4. Incidence of torture in India

3.5. Judicial attitudes

3.6. Law Reform - proposed and pending

UNIT 4: MINORITY RIGHTS

4.1. Conception of minorities

4.2. Scope of protection

4.3. The position of minority "Woman" and their basic rights

4.4. Communal Riots as Involving violation of Rights.

UNIT 5: RIGHTS TO DEVELOPMENT OF INDIVIDUALS AND NATIONS

5.1. The UN Declaration on Right to Development, 1987

5.2. The need for constitutional and legal changes in India from human rights standpoint.

UNIT 6: PEOPLE'S PARTICIPATION IN PROTECTION PROMOTION OF HUMAN RIGHTS

6.1. Role of International NGOs

6.2.1. Amnesty International

6.2.2. Minority Rights Groups

6.2.3. International Bars Association, Law Asia

6.3. Contribution of these groups to protection and promotion of human rights in India.

UNIT 7: DEVELOPMENT AGENCIES AND HUMAN RIGHTS

7.1. Major international funding agencies and their operations in India

7.2. World Bank lending and resultant violation/promotion of human rights

7.3. Should development assistance be tied to observance of human rights.

UNIT 8: COMPARATIVE SOURCES OF LEARNING

8.1. EEC Jurisprudence

8.2. The Green Movement in Germany

8.3. The International Peace Movement

8.4. Models of Protection of the rights of indigenous peoples.

UNIT 9: FREEDOMS

9.1. Free Press - Its role in protecting human rights

9.2. Right of association

9.3. Right to due process of law

9.4. Access and Distributive Justice

UNIT 10: INDEPENDENCE OF THE JUDICIARY

10.1. Role of the Legal Profession

10.2. Judicial appointments - tenure of judges

10.3. Qualifications of judges

10.4. Separation of judiciary from executive

UNIT 11: EUROPEAN CONVENTION OF HUMAN RIGHTS

11.1. European Commission/Court of Human Rights

11.2. Amnesty International

11.3. PUCL, PUDR, Citizens for Democracy

11.4. Minorities Commission

11.5. Human Rights Commission

11.6. Remedies Against Violation of Human Rights

LLMN 301

Administrative Process: Nature, Scope and Judicial Control

Unit I — Nature and Scope of Administrative Law

i. Definition, nature, growth, and development of Administrative Law

ii. Relationship between Constitutional Law and Administrative Law

iii. Rule of Law: Dicey's formulation and its applicability in India

iv. Separation of Powers: doctrine and its Indian dimensions

v. Classification of administrative actions and functions

Unit II — Delegated Legislation

i. Growth and necessity of delegated/subordinate legislation

ii. Constitutional validity and limits of delegation

iii. Conditional legislation and sub-delegation

iv. Controls: Parliamentary control, judicial control, and procedural safeguards

Unit III — Principles of Natural Justice

i. Rule against bias (*nemo judex in causa sua*)

ii. Right to fair hearing (*audi alteram partem*)

iii. Reasoned decisions (*speaking orders*)

iv. Exceptions to natural justice; effect of non-compliance

Unit IV — Administrative Discretion

i. Nature and scope of administrative discretion

ii. Structuring and limiting discretion

iii. Judicial control over discretionary power

iv. Doctrine of proportionality and legitimate expectation

Unit V — Judicial Control of Administrative Action

i. Grounds of judicial review: jurisdictional error, error of law, irrationality

ii. Remedies: Writs (certiorari, mandamus, prohibition, quo warranto, habeas corpus)

iii. Doctrine of exhaustion of alternative remedies

iv. Locus standi and Public Interest Litigation (PIL)

v. Limits of judicial review; doctrine of *res judicata* and laches

LLMN 302

Public Authorities Liability and Control on Maladministration

Unit I — Liability of the State and Public Authorities

i. Historical background: Crown immunity and its erosion

ii. State liability in contract and tort under Article 300 of the Constitution

iii. Doctrine of sovereign and non-sovereign functions

iv. Vicarious liability of the State

Unit II — Tortious Liability of Public Authorities

i. Liability for negligence, nuisance, and trespass by public bodies

ii. Strict and absolute liability of the State

iii. Compensation jurisprudence: Supreme Court's expanding role

iv. Key cases: *Kasturilal v. State of UP*, *Nilabati Behera*, *Common Cause* cases

Unit III — Controls on Maladministration

i. Concept of maladministration: meaning and forms

ii. Ombudsman institution: origin and comparative study (UK, Sweden, India)

iii. Lokpal and Lokayuktas: constitutional and statutory framework

iv. Comptroller and Auditor-General of India

v. Vigilance Commission and Commissions of Inquiry

Unit IV — Right to Information and Transparency

i. Right to Information Act, 2005: scope and significance

ii. Information Commissions: powers and functions

iii. Transparency, accountability, and good governance

iv. Whistleblower protection and citizen's charter

Unit V — Administrative Tribunals and Alternative Remedies

i. Nature and classification of administrative tribunals

ii. Central Administrative Tribunal (CAT) and State Administrative Tribunals (SAT)

iii. Article 323-A and 323-B: constitutional basis

iv. Supervisory jurisdiction of High Courts under Article 227

v. Citizen redressal mechanisms; e-governance and accountability

LLMN 303

Field Work, Extension Activity, Clinical Work and Law Teaching

This is a **practical/clinical paper** evaluated internally. It has four components:

Component I — Doctrinal Research (Library Assignment)

i. Each student is assigned a research topic in advance
ii. Collection of primary and secondary legal materials over 5–7 days
iii. Preparation of a written research note/assignment
iv. Evaluated internally by the faculty

Component II — Non-Doctrinal / Field Work (Empirical Research)

i. Students undertake empirical study of a socio-legal problem
ii. Field data collected through questionnaires, interviews, or observation
iii. The problem should have social, economic, moral, or political dimensions
iv. Results assessed internally; report submitted to faculty

Component III — Clinical Legal Work

i. Involvement with the Legal Aid Clinic of the law department
ii. Participation in legal aid camps, lok adalats, or prison visits
iii. Client counselling, drafting legal documents (complaints, petitions, applications)
iv. Familiarisation with court processes, legal aid programmes, and law in action

Component IV — Law Teaching

i. Each student is required to deliver at least one seminar/lecture to peers
ii. Preparation of teaching materials, problem-based exercises, or case discussions
iii. Development of skills in legal pedagogy: Socratic method, participative teaching
iv. Evaluated on content, clarity, and engagement